

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Marchitto et al.

FILED: March 24, 2004

SERIAL NO.: 10/808,108

FOR: Microsurgical Tissue Treatment System

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§ART UNIT:  
3767EXAMINER:  
Witczak, CatherineDOCKET:  
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APR 28 2009MS Non-Fee Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450CERTIFICATE OF FACSIMILE TRANSMISSION

I certify that this Response to Restriction Requirement, Petition for Extension and Form PTO 2038 was transmitted via facsimile to Examiner Catherine Witczak at 571-273-8300 on the date below:

Date:

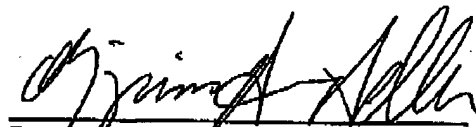
Apr 28, 2009  
Benjamin Aaron Adler, Ph.D., J.D.RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENTS

Dear Sir:

In response to the Restriction Requirement, mailed April 3, 2009, Applicants elect Group 2, claims 34-52 drawn to a method of treating tissue, without traverse. The elected subject matter encompasses claims 34-52.

Respectfully submitted,

Date:

Apr 28, 2009  
Benjamin Aaron Adler, Ph.D., J.D.  
Registration No. 35,423  
Counsel for ApplicantADLER & ASSOCIATES  
8011 Candle Lane  
Houston, Texas 77071  
Tel: (713) 270-5391  
Fax: (713) 270-5361  
Ben@adlerandassociates.com